

ASSEMBLY BILL

No. 322

Introduced by Assembly Member Oropeza

February 10, 2005

An act to add Article 10 (commencing with Section 270) to Chapter 2 of Part 1 of the Education Code, relating to education equity.

LEGISLATIVE COUNSEL'S DIGEST

AB 322, as introduced, Oropeza. Equity in Athletics Bill of Rights.

Existing law, the Sex Equity in Education Act, states the policy of the state that elementary and secondary school classes and courses, including nonacademic and elective classes and courses, be conducted without regard to the sex of the pupil enrolled in these classes or courses. Existing federal law, known as Title IX, prohibits a person, on the basis of sex, from being excluded from participation in, being denied the benefits of, or being subject to, discrimination under any education program or activity receiving federal financial assistance.

This bill would enact the Equity in Athletics Bill of Rights and would enumerate the rights available to a pupil relating to gender equity in athletics. The bill would require the State Department of Education to post the bill of rights on its Web site and would require a school district that elects to offer competitive or club sports to its pupils to print and post posters setting forth the bill of rights. The bill would require the posters to contain specified information and would require the poster to be posted at the entrance of the school gym and in the male and female locker rooms.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) The Legislature finds and declares both of
2 the following:

3 (1) Thirty years after the adoption of Title IX of the Education
4 Amendments of 1972 (20 U.S.C. Sec. 1681 et seq.), there is still
5 serious need for improvement in gender equity in athletics.
6 Because of the lack of training at the high school level there is a
7 prevalent and severe lack of Title IX awareness making it
8 difficult for California to achieve full gender equity in athletics.

9 (2) Reports have indicated that at the community college and
10 university levels athletic administrators and coaches have more
11 awareness of Title IX compliance issues than at the high school
12 level. Some of this awareness is the result of discrimination
13 complaints or lawsuits that have forced colleges and universities
14 to make changes in the number of athletic teams offered, to
15 expend funds to improve facilities, or to make other changes that
16 improve equity in athletics for women and men. However, even
17 though the overall picture has improved, there are still several
18 areas of inequity that need to be addressed.

19 (b) The Equity in Athletics Bill of Rights set forth in this act
20 aims to educate high school pupils and parents of their Title IX
21 rights.

22 SEC. 2. Article 10 (commencing with Section 270) is added
23 to Chapter 2 of Part 1 of the Education Code, to read:

24
25 Article 10. Equity in Athletics Bill of Rights
26

27 270. (a) The department shall post the Equity in Athletics Bill
28 of Rights, as set forth in Section 271, on its Web site in both
29 English and Spanish.

30 (b) Each school district that elects to offer competitive or club
31 sports to its pupils shall print and post posters setting forth the
32 Equity in Athletics Bill of Rights in not less than 12-point bold
33 type. The posters shall have the title “Equity in Athletics Bill of
34 Rights” printed at the top of the posters. The bottom of each
35 poster shall contain the name of, and contact information for, the
36 gender equity coordinator of the school.

37 (c) The poster shall be posted at the entrance of the school
38 gym and in the male and female locker rooms.

1 271. The following is the Equity in Athletics Bill of Rights for
2 pupils:

3 (a) You have the right to fair and equitable treatment and you
4 shall not be discriminated against based on your sex.

5 (b) You have the right to be provided with an equitable
6 opportunity to participate in all academic extracurricular
7 activities, including athletics.

8 (c) You have the right to share your athletic interest with the
9 athletic director.

10 (d) You have the right to apply for athletic scholarships.

11 (e) You have the right to receive equal treatment and benefits
12 in the provision of all of the following:

13 (1) Equipment and supplies.

14 (2) Scheduling of games and practices.

15 (3) Transportation and daily allowances.

16 (4) Access to tutoring.

17 (5) Coaching.

18 (6) Locker rooms.

19 (7) Practice and competitive facilities.

20 (8) Medical and training facilities and services.

21 (9) Publicity.

22 (f) You have the right to have access to a gender equity
23 coordinator to answer questions regarding gender equity laws.

24 (g) You have the right to contact the State Department of
25 Education and the California Interscholastic Federation to access
26 information on gender equity laws.

27 (h) You have the right to file a confidential discrimination
28 complaint with the United States Office of Civil Rights or the
29 State Department of Education if you believe you have been
30 discriminated against or if you believe you have received unequal
31 treatment on the basis of your sex.

32 (i) You have the right to pursue civil remedies if you have
33 been discriminated against.

34 (j) You have the right to be protected against retaliation if you
35 file a discrimination complaint.